

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ELLEN J. SHOOK,

Plaintiff,

-against-

1:12-CV-185

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**THOMAS J. McAVOY
Senior United States District Judge**

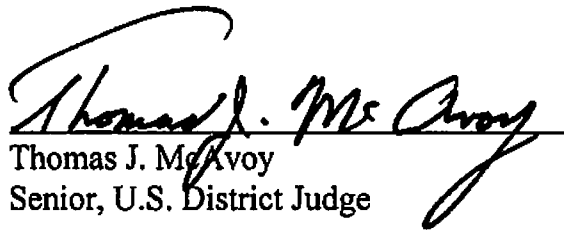
DECISION & ORDER

This matter, brought pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3), was referred to the Hon. Victor E. Bianchini, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the January 25, 2013, Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is therefore ORDERED that the Commissioner's decision denying disability benefits be AFFIRMED.

IT IS SO ORDERED.

Dated: March 22, 2013



Thomas J. McAvoy
Senior, U.S. District Judge